

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WALTER E. FLOYD., JR.,  
Plaintiff,  
vs.  
FEDERAL BUREAU OF PRISONS, *et al.*,  
Defendants.

3:11-cv-00084-RCJ-VPC

## ORDER

Plaintiff, who is represented by counsel, has filed a civil rights complaint and seeks relief pursuant to *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), which provides a remedy for violation of civil rights by federal actors.

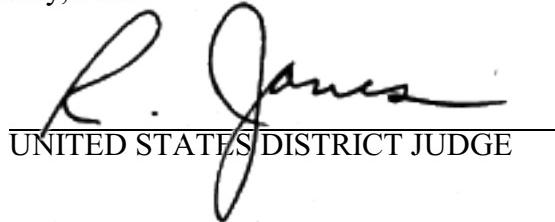
The federal venue statute requires that a civil action, other than one based on diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants reside in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1331(b).

In this case, none of the defendants reside in this district. The events giving rise to plaintiff's claims arose at the Federal Correctional Institution, Terminal Island, in Los Angeles County,

1 California, which is located within the Central District of California. Therefore, plaintiff's claim  
2 should have been filed in the United States District Court for the Central District of California. In  
3 the interest of justice, a federal court may transfer a complaint filed in the wrong district to the  
4 correct district. See 28 U.S.C. § 1404(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974).

5 **IT IS THEREFORE ORDERED** that this matter is **TRANSFERRED** to the United States  
6 District Court for Central District of California, Roybal Federal Building, 255 East Temple Street,  
7 Los Angeles, California, 90012.

8 Dated this 11th day of May, 2011.

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UNITED STATES DISTRICT JUDGE